

CANNISTRACI LAW FIRM
99 Almaden Blvd • Suite 925 • San Jose, CA 95113
Phone: 408.297.5400 • Fax: 408.297.5407

Sharonrose Cannistraci, (#121827)
CANNISTRACI LAW FIRM
99 Almaden Blvd., Suite 925
San Jose, CA 95113
Phone: 408.297.5400
Fax: 408.297.5407

Attorneys for Plaintiff

Cole B. Ramey (pro hac vice) (Texas SBN#16494980)
CROUCH & RAMEY
1445 Ross Ave Suite 3600
Dallas, Texas 75202
Phone: 214-922-7100
Fax: 214-922-7101

J. Kevin Snyder (#107509)
DYKEMA GOSSETT LLP
333 South Grand Ave. Suite 2100
Los Angeles, CA 90071
Phone: 213-457-1800
Fax: 213-457-1850

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

STEEL TILE DISTRIBUTING, INC., a
California Corporation;

Plaintiff,
vs.

GERARD ROOFING TECHNOLOGIES,
INC., a California corporation, METALS
USA, INC., a Delaware corporation, METALS
USA BUILDING PRODUCTS, L.P., a Texas
limited partnership, GERARD ROOFING
TECHNOLOGIES, INC., an unknown
business entity, GERARD, an unknown
business entity, and DOES 1 to 50,

Defendants,

Case No.: C 05-03388 PVT

**STIPULATION AND ORDER FOR
DISMISSAL OF ACTION**

Courtroom: 5

Judge: Honorable Patricia V. Trumbull

IT IS HEREBY STIPULATED AND AGREED, pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1), by and between plaintiff and cross-defendant STEEL TILE DISTRIBUTING INC., through its attorney of record SHARONROSE CANNISTRACI, and METALS USA, INC. and all defendants and cross-complainants who have appeared in this action, through their counsel, COLE RAMEY and J. KEVIN SNYDER, as follows:

1. This action was commenced in Santa Clara County Superior Court on July 11, 2005.

2. This notice of removal to this federal court was filed by Defendants on August 19, 2005.

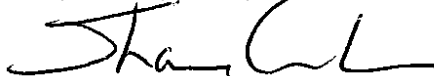
3. The action is not a class action, a receiver has not been appointed, and the action is not governed by any statute of the United States that requires an order of the court for dismissal.

4. This action is hereby dismissed, in its entirety, with prejudice, all parties to bear their own costs and attorneys' fees incurred in this action.

5. This court is to retain jurisdiction to enforce the settlement agreement entered into by the parties on or about September 14, 2006, the terms of which are incorporated herein by reference as though set forth in full.

Dated: _____

CANNISTRACI LAW FIRM



SHARONROSE CANNISTRACI, ESQ.
ATTORNEY FOR PLAINTIFF

DYKEMA GOSSETT LLP

Dated: _____

J. Kevin Snyder, Esq.

ATTORNEY FOR DEFENDANTS

Dated: 9/28/06

CROUCH & RAMEY, LLP



Cole B. Ramey, Esq.
ATTORNEY FOR DEFENDANTS

CANNISTRACI LAW FIRM
99 Almaden Blvd • Suite 925 • San Jose, CA 95113
Phone: 408.297.5400 • Fax: 408.297.5407

IT IS HEREBY STIPULATED AND AGREED, pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1), by and between plaintiff and cross-defendant STEEL TILE DISTRIBUTING INC., through its attorney of record SHARONROSE CANNISTRACI, and METALS USA, INC. and all defendants and cross-complainants who have appeared in this action, through their counsel, COLE RAMEY and J. KEVIN SNYDER, as follows:

1. This action was commenced in Santa Clara County Superior Court on July 11, 2005.
2. This notice of removal to this federal court was filed by Defendants on August 19, 2005.
3. The action is not a class action, a receiver has not been appointed, and the action is not governed by any statute of the United States that requires an order of the court for dismissal.
4. This action is hereby dismissed, in its entirety, with prejudice, all parties to bear their own costs and attorneys' fees incurred in this action.
5. This court is to retain jurisdiction to enforce the settlement agreement entered into by the parties on or about September 14, 2006, the terms of which are incorporated herein by reference as though set forth in full.

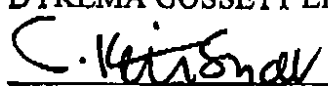
CANNISTRACI LAW FIRM

Dated: _____

SHARONROSE CANNISTRACI, ESQ.
ATTORNEY FOR PLAINTIFF

DYKEMA GOSSETT LLP

Dated: 9.21.06


J. Kevin Snyder, Esq.

ATTORNEY FOR DEFENDANTS

CROUCH & RAMEY, LLP

Dated: _____

Cole B. Ramey, Esq.
ATTORNEY FOR DEFENDANTS

1 IT IS SO ORDERED, ADJUDGED AND DECREED.

2 October
3 Date: ~~September~~ 16, 2006


Magistrate Patricia V. Trumbull
Judge

CANNISTRACILAW FIRM
99 Almaden Blvd • Suite 925 • San Jose, CA 95113
Phone: 408.297.5400 • Fax: 408.297.5407